

June Court - - - - 1737 - - - - 78

year of at the County of Consideration thereof upon himself did assume and to the said Alexander then and there faithfully promise that he the said Francis the said three thousand two hundred forty and five pounds of tobacco when he should be afterwards thereto required well and faithfully he would pay and content NEVERTHELESS the said Francis his promise and assumption of in form made nothing regarding but minding and fraudulently intending the said Alexander in that part craftily and subtilly to deceive and defraud the said three thousand two hundred forty and five pounds of tobacco to the said Alexander hitherto hath not paid or him for the same in any sort contented but the same to him to pay hitherto altogether hath refused and still doth refuse altho' the same to do afterwards to wit the day and year of at the County of and of since that time the said Francis by the said Alexander was required whereupon the said Alexander says he is damaged forty five pounds first money of Maryland and thereof he brings Suit &c. Eldger & John Doe & Roe

AND the aforesaid Francis Porter by Robert Edmunds Henry his attorney Cometh &c. defend: eth the force and Injury when &c. and prayeth Leave thereof to Imparle here until the third Tuesday of March then next following and he hath it and the same day is given to the aforesaid Alexander Bundle here also &c.

All which day here came againe as well the aforesaid Alexander Bundle as the aforesaid Francis Porter by their attorney aforesaid and whereupon the same Francis prayeth further Leave thereof to Imparle here until the third Tuesday of June then next following and he hath it and the same day is given to the aforesaid Alexander here also &c.

All which day here came againe as well the aforesaid Alexander Bundle as the aforesaid Francis Porter by their attorney aforesaid and whereupon the same Francis as before defend: eth the force and Injury when &c. and saith that he did not assume upon himself in manner and form as the said Alexander Bundle above against him hath complained and of this he puts himself upon the Country - and the said Alexander in like manner

Thereupon it is Comanded the sherriffe of the County of that immediately he should cause to come here before the Justices of his Lordships County Court of Somerset at Dwiding Creek this Instant third Tuesday of June twelve &c. by whom &c. and whom other &c. to recognize &c. because as well &c. and the same day is given to the parties aforesaid here &c. and the Jurors of that same Jury by Joseph M^{ce} Lester ^{Gov} sherriffe of the same County of to be Impanelled being called same to wit Thomas